



12/9/03

## MESSAGES FROM THE HOUSE

### **SB 658-59 (Stamas)**

The bills would establish felony penalties for failure to stop at the scene of a boating accident causing serious impairment or death.

- The Senate concurred with the House changes to SB 658 [RC 581: 37 yes, 0 no]. Immediate Effect was given to the bill.
- The Senate concurred with the House changes to SB 659 [RC 582: 38 yes, 0 no]. Immediate Effect was given to the bill.

### **HB 4938 (Taub)**

The bill would create the “Michigan Notary Public Act” and repeal existing statutes that regulate notaries. The fee increases would generate approximately \$238,000 in additional State revenue and \$250,000 for local units of government. The amount of revenue in future years would decline due to the extended term of appointment under the bill.

- The Senate concurred with the House changes to HB 4938 [RC 583: 36 yes, 2 no].

## FINAL PASSAGE

### **SB 849 (Birkholz)**

Currently, “initial taxable value” means the taxable value of an eligible property identified in and subject to a brownfield plan at the time the resolution adding that eligible property in the plan is adopted, as shown by the most recent assessment roll for which equalization has been completed at the time the resolution is adopted. Senate Bill 849 would refer to the taxable value of the eligible property as shown either by the most recent assessment roll (as currently provided) or, if provided by the brownfield plan, by the next assessment roll for which equalization would be completed following the date the resolution adding the property in the plan was adopted.

- SB 849 passed [RC 584: 37 yes, 0 no].

## THIRD READING

**SB 220 (Garcia)**  
**SB 657 (Brown)**  
**SB 792 (Bishop)**  
**SB 797 (George)**  
**SB 793 (Van Woerkom)**  
**SB 794 (Toy)**  
**SB 795 (Cassis)**  
**SB 798 (Sanborn)**  
**SB 803 (Cropsey)**

## IDENTITY THEFT PACKAGE

Senate Bill 220 would increase consumer protection by eliminating credit card numbers from receipts.

- Committee 1 (S-2) was adopted [no RC].
- SB 220 was moved to 3<sup>rd</sup> Reading.

Senate Bill 657 would prohibit an entity from requiring a consumer to disclose his or her Social Security Number as a condition of selling goods or providing a service to a customer, unless the transaction includes an extension of credit to the consumer.

- Committee 1 (amends) was adopted [no RC].
- Brown 2 (1 amend) was adopted [no RC]. Technical change.
- SB 657 was moved to 3<sup>rd</sup> Reading.

Senate Bill 792 would create the Identity Theft Protection Act which would: 1) define “Identity Theft” as any unauthorized use of another person’s personal identifying information to obtain credit, goods, services, money, property or employment or to commit any illegal act; 2) specify that it would be a 5 year felony if a person commits identity theft or obtains or attempts to obtain personal identifying information of another person with intent to use that information to commit identity theft or another illegal act; 3) specify that a person shall not deny credit to a consumer solely because the consumer was a victim of identity theft.

- Committee 1 (S-2) was defeated [no RC].
- Bishop 2 (S-) was adopted [no RC].
- SB 792 was moved to 3<sup>rd</sup> Reading.

Senate Bill 797 would include in the sentencing guidelines a violation of the proposed “Identity Theft Protection Act”, which Senate Bill 792 would create.

- SB 797 was moved to 3<sup>rd</sup> Reading. No amendments.

Senate Bill 793 would amend current court jurisdiction procedures to allow a violation of the Identity Theft Protection Act to be prosecuted in one of the following jurisdictions. 1) where the offense occurred; 2) where the information used to commit the violation was illegally used; or 3) where the victim resides.

- Committee 1 (S-1) was adopted [no RC].
- SB 793 was moved to 3<sup>rd</sup> Reading.

Senate Bill 794 would provide that a victim of identity theft may apply to the county prosecutor or to the attorney general for a “certificate” stating that he or she is a victim of identity theft.

- Committee 1 (S-2) was adopted [no RC].
- SB 794 was moved to 3<sup>rd</sup> Reading.

Senate Bill 795 would specify that a person shall not disclose to a third party or publicly display all or any part of the Social Security Number of an employee, student, or other individual unless the individual consents to the disclosure in writing or the disclosure is authorized by law. A person who violates this act is responsible for a \$1,000.00 civil fine, and also a criminal penalty of a 93 day misdemeanor and/or a \$1,000 fine.

- Committee 1 (S-2) was defeated [no RC].
- Cassis 2 (S-4) was adopted [no RC].
- Cassis 2A (7 amends) was adopted [no RC]. Technical changes.
- SB 795 was moved to 3<sup>rd</sup> Reading.

Senate Bill 798 prohibit an entity from denying credit to or reducing the credit limit of a consumer because the consumer was a victim of Identity Theft.

- Committee 1 (S-1) was adopted [no RC].
- SB 798 was moved to 3<sup>rd</sup> Reading.

Senate Bill 803 would provide that an indictment for Identity Theft would have a 6 year statute of limitations after the offense is committed. If the suspect is unidentified, the 6 year statute of limitations begins once the suspect is identified. This provision is similar to the language in recently passed legislation dealing with DNA evidence.

- SB 803 was moved to 3<sup>rd</sup> Reading. No amendments.

### **SB 681 (CHERRY)**

Senate Bill 681 would provide that upon a legal motion by either party, the magistrate may permit the testimony of an expert witness to be conducted by means of telephonic, voice, or video conferencing.

- Committee 1 (1 amend) was adopted [no RC]. This would add “telephonic” and “voice” communications to the bill.
- SB 681 was moved to 3<sup>rd</sup> Reading.

### **SB 702 (Hammerstrom)**

Senate Bill 702 would allow the temporary placement of children with prospective adoptive parents who do not reside in Michigan

- Committee 1 (1 amend) was adopted [no RC].
- Hammerstrom 2 (1 amend) was adopted [no RC].
- SB 702 was moved to 3<sup>rd</sup> Reading.

### **SB 780 (Cassis)**

Senate Bill 780 currently applies to two townships, Holly and Groveland. The townships are interested in converting an old gravel pit for commercial/high tech development. Much of the land in the two townships is

actually owned by the DNR and protected from development. They want to reclaim 300-400 acres, half in Holly and half in Groveland.

- Committee 1 (S-1) was adopted [no RC].
- SB 780 was moved to 3<sup>rd</sup> Reading.

#### **SB 842-43 (Stamas/Gilbert)**

Senate Bills 842-43 prohibit, and prescribe penalties for, the possession, use, sale, or purchase of a signal preemption device.

- Committee 1 (S-3) was adopted [no RC].
- Stamas 1A was withdrawn.
- Stamas 1B (1 amend) was adopted [no RC]. Exemptions for emergency personnel, etc.
- SB 842 was moved to 3<sup>rd</sup> Reading.

Senate Bill 842 would define “signal preemption device” as a device that was capable of changing a traffic control signal to green out of sequence.

- Committee 1 (S-1) was adopted [no RC].
- SB 843 was moved to 3<sup>rd</sup> Reading.

#### **HB 4513 (Nofs)**

#### **HB 4514 (Van Regenmorter)**

#### **FIGHT ELECTRONIC TERRORISM**

House Bill 4513 would define a “harmful electronic or electromagnetic device” as a device that does, or that was designed to, emit or radiate an electronic or electromagnetic pulse, current, beam, signal, or microwave intended to cause harm to others or cause damage to, destroy, or disrupt any electronic or telecommunications system or device including, but not limited to, a computer, computer network, or computer system.

- Cropsey 1 (1 amend) was adopted [no RC]. Effective date: 1/1/04.
- HB 4513 was moved to 3<sup>rd</sup> Reading.

House Bill 4514 would make it a crime to manufacture, deliver, possess, transport, place, use, or release a harmful electronic or electromagnetic device for an unlawful purpose. Penalties range from a 15 year felony with a \$10,000 fine to a life sentence without parole and a \$40,000 fine depending on the injuries sustained by the victim/s.

- Cropsey 1 (1 amend) was adopted [no RC]. Effective date: 1/1/04.
- HB 4514 was moved to 3<sup>rd</sup> Reading.

#### **HB 4896 (Richardville)**

House Bill 4896 allows the art of falconry to continue to operate in Michigan. An analysis of the past four years since the act was first signed into law shows that the experience has been positive and that there has been a minimal impact on the wildlife of Michigan.

Support: MUCC, DNR, Michigan Audubon Society, Michigan Hawking Club.

- HB 4896 was moved to 3<sup>rd</sup> Reading. No amendments.

### **HB 4899 (Julian)**

House Bill 4899 would allow a person authorized by supreme court rule to serve process or a paper issued by or filed with a court in this state to receive “traveling fees” for the service from the place where the court that issued or filed the process or paper is located to the place of service, not to exceed 75 miles each way.

- HB 4899 was moved to 3<sup>rd</sup> Reading. No amendments.

### **HB 5089 (Acciavatti)**

### **HB 5173 (Acciavatti)**

House Bill 5089 changes current law to: 1) specifically define a work zone, 2) make it illegal to use a mobile infrared transmitter device, and 3) change the speed limit definition in work zones. Under the bill a work zone is defined as any of the following: A) Being between a “work zone begins” sign and an “end road work” sign; B) For a moving work crew with more than 1 vehicle, between the “begin work convoy” sign and an “end work convoy” sign; C) For a stationary work crew with 1 vehicle that exhibits a rotating strobe light or beacon is 150 feet behind and 150 in front of the vehicle that is emitting the strobe or beacon light.

- Committee 1 (S-2) was adopted [no RC].
- HB 5089 was moved to 3<sup>rd</sup> Reading.

House Bill 5173 changes construction zone to work zone and SIGNIFIGANTLY lower the threshold for which a person can be convicted of injuring or killing a worker in a “work zone”.

- Committee 1 (S-1) was adopted [no RC].
- HB 5173 was moved to 3<sup>rd</sup> Reading.

### **HB 5270 (Nofs)**

House Bill 5270 provides a structure for a revolving loan program which would serve local units of government and Brownfield redevelopment authorities. The House amended the bill to add more specificity around the requirements for the loan. This bill is the same as SB 806 as amended by the House.

- Committee 1 (S-1) was adopted [no RC].
- HB 5270 was moved to 3<sup>rd</sup> Reading.

## **RESOLUTIONS**

### **SR 141 (BRATER)**

A resolution to memorialize the Congress of the United States to enact Great Lakes environmental restoration legislation.

- SR 141 was adopted [no RC].